

**UNITED STATES DISTRICT COURT**  
**for the**  
**MIDDLE DISTRICT OF TENNESSEE**

U.S.A. vs. Charles Ragar

Docket No. 0650 3:14CR00071 - 5

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Angela D. Smith, PRETRIAL SERVICES OFFICER  
presenting an official report upon the conduct of defendant Charles Ragar  
who was placed under pretrial release supervision by the Honorable Juliet E. Griffin, U.S. Magistrate Judge  
sitting in the Court at Nashville, Tennessee, on May 12, 2014, under the following  
conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:  
Please reference page two of this document.

I declare under penalty of perjury that the foregoing is true and correct.

Angela D. Smith <u>Angela Smith</u>	Nashville, TN	June 16, 2014
U.S. Pretrial Services Officer	Place:	Date:
Next Scheduled Court Event	Pretrial Status Conference	Jul 7, 2014
	Event	Date

**PETITIONING THE COURT**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> No Action<br><input type="checkbox"/> To Issue a Warrant | <input type="checkbox"/> To issue an order setting a hearing on the petition<br><input type="checkbox"/> Other |
|--|--|

**THE COURT ORDERS:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> No Action<br><input type="checkbox"/> The Issuance of a Warrant.<br><input type="checkbox"/> Sealed Pending Warrant Execution<br>(cc: U.S. Probation and U.S. Marshals only)<br><input type="checkbox"/> Other | <input type="checkbox"/> A Hearing on the Petition is set for<br><br>Date _____ Time _____ |
|--|--|

Considered and ordered this 16<sup>th</sup> day  
of June, 2014, and ordered filed  
and made a part of the records in the above  
case.

Juliet E. Griffin  
Honorable Juliet Griffin  
U.S. Magistrate Judge

Petition for Action on  
Ragar, Charles  
Docket: 3:14CR-00071

On May 12, 2014, Charles Ragar appeared before Your Honor for an Initial Appearance charged with violating 18 U.S.C. § 1349, Conspiracy to Commit Wire Fraud and 18 U.S.C. § 1343, Wire Fraud. He was released on that same date to pretrial services supervision with the conditions listed in the attached Order Setting Conditions of Release. The defendant resides in the Western District of Kentucky, where he has been under courtesy supervision since the date of release.

**VIOLATIONS:**

According to the Pretrial Services Office in the Western District of Kentucky, on June 10, 2014, Mr. Ragar submitted a urine sample via non-instrumented drug testing device, which tested positive for cocaine. Pretrial Services Officer Gerald Stephens contacted Mr. Ragar, and he admitted to using cocaine on June 7, 2014. Officer Stephens required him to report to the office, and Mr. Ragar reported to the office as instructed. Mr. Ragar explained that while cutting grass on June 7, 2014, a friend approached and offered him crack cocaine. He stated he smoked it twice from a can with this friend.

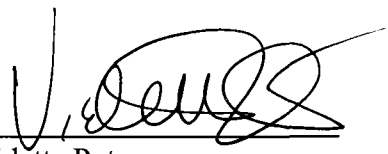
**Probation Officer's Actions:**

Officer Stephens conducted a noncompliance meeting, and Mr. Ragar was strongly admonished for drug use. He signed a letter of admission, and he was offered inpatient treatment; however, he declined the offer. He was placed in a higher phase of an outpatient drug treatment program, which requires four counseling sessions and three urine collections per month.

Officer Stephens reviewed Ragar's bond conditions, and he was counseled. They discussed his triggers and how to avoid them. He was referred to AA/NA groups.

**Respectfully Petitioning the Court as Follows:**

The U.S. Probation and Pretrial Services Office would respectfully request that no action be taken at this time.

Approved:   
Vidette Putman  
Supervising U.S. Probation Officer

cc: AUSA William Francis Abely  
Defense counsel, Bob Lynch, Jr.

UNITED STATES DISTRICT COURT

for the  
Western District of Kentucky

United States of America  
v.

CHARLES RAGAR

*Defendant*

)  
)  
) Case No. 1:14mj-00017-HBB  
)  
)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U.S. District Court, Middle District of Tennessee, Nashville, TN

*Place*

Courtroom 764 before Magistrate Judge Juliette Griffin

on 5/12/2014 1:00 pm

*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

**ADDITIONAL CONDITIONS OF RELEASE**

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ( ) (6) The defendant is placed in the custody of:

Person or organization \_\_\_\_\_

Address (only if above is an organization) \_\_\_\_\_

City and state \_\_\_\_\_

Tel. No. \_\_\_\_\_

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: \_\_\_\_\_

Custodian

Date

- ( ) (7) The defendant must:

( / ) (a) submit to supervision by and report for supervision to the U. S. Probation telephone number \_\_\_\_\_, no later than \_\_\_\_\_.

( ) (b) continue or actively seek employment.

( ) (c) continue or start an education program.

( ) (d) surrender any passport to: U. S. Probation

( ) (e) not obtain a passport or other international travel document.

( / ) (f) abide by the following restrictions on personal association, residence, or travel: Western District of Kentucky

+ MD/ITN

( ) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: \_\_\_\_\_

( X ) (h) get medical or psychiatric treatment: continue mental health meds + treatment

( ) (i) return to custody each \_\_\_\_\_ at \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment, schooling, or the following purposes: \_\_\_\_\_

( X ) (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

( X ) (k) not possess a firearm, destructive device, or other weapon.

( X ) (l) not use alcohol ( X ) at all ( ) excessively.

( X ) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

( X ) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

( X ) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

( ) (p) participate in one of the following location restriction programs and comply with its requirements as directed.

( ) (i) Curfew. You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or

( ) (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

( ) (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

( ) (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

( ) You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

( X ) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

( ) (s) \_\_\_\_\_

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

X Cherie Noyon  
Defendant's Signature

\_\_\_\_\_  
City and State

**Directions to the United States Marshal**

- (✓) The defendant is ORDERED released after processing.  
(✓) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 5/1/14

Thomas B. Russell  
Judicial Officer's Signature

Thomas B. Russell, Senior Judge  
Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL